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09/922,837	08/07/2001	Tomotoshi Sato	210263US-2	8604
22850 7590 12/10/2008 OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			EXAMINER TRUONG, LAN DAI T	
			ART UNIT 2452	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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Office Action Summary	Application No. 09/922,837	Applicant(s) SATO, TOMOTOSHI	
	Examiner LAN-DAI Thi TRUONG	Art Unit 2452	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10/31/2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-6,9-11,13-18,21-26,28,30-34,41,43,45,47 and 49 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-6,9-11,13-18,21-26,28,30-34,41,43,45,47 and 49 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/31/2008 has been entered.

2. This action is response to communications: application, filed on 08/07/2001; amendment filed on 10/31/2008. Claims 1, 3-6, 9-11, 13-18, 21-26, 28, 30-34, 41, 43, 45, 47 and 49 are pending; claims 1, 11, 21, 28, 30-35 are amended; claim 49 is added; claims 2, 7-8, 12, 19-20, 27, 29, 36-40, 42, 44, 46 and 48 are canceled.

3. The applicant's arguments filed on 10/31/2008 have fully considered but they are moot in view with new ground for rejections.

Claim rejections-35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1, 3-6, 9-11, 13-18, 41, 43 and 49 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement.

Regarding claim 1:

The claim(s) contains subject matter (i.e. comparing unit configured to compare...) which was not described in the specification in such a way as to reasonably convey to one skilled

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in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Nowhere in the specification discloses the use of comparing unit configured to compare. Applicant only mentions that, each of peripheral devices includes a management controller configured to decide which peripheral device on the network is to perform the management function for the others. The decision is made upon comparison results from comparing characteristics between peripheral devices (see specification, [0024]). Without provide disclosures the use of ‘comparing unit configured to compare...’ from the specification; how would one of ordinary skill in the art determine claim feature of "comparing unit configured to compare central processing unit performance, memory size, or average for each of the plurality of other image forming devices and said image forming device; based on a results of comparison between the central processing unit performance, memory size, or average for each of the plurality of other image forming devices and said image forming device." Appropriate correction is required. However, for examining purpose, the office interprets ‘comparing unit’ has functionality of ‘a management controller’.

Regarding claims 3-6, 9-11, 13-18, 41, 43 and 49:

Those claims are rejected under rationales of claim 1.

Claim rejections-35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 11, 28, 30, 33-34, 41, 43, 47 are rejected under 35 U.S.C 103(a) as being un-patentable over Nishio (U.S. 2005/0251569) in view of Denman et al. (U.S. 6,745,240) and further in view of Morikawa et al. (U.S. 7,027,169).

Regarding claim 1:

Nishio discloses the invention substantially as claimed, including an image forming device configured to be connected to a plurality of other image forming devices via a network (Nishio discloses image processing devices (e.g. network-capable printers, scanners and copiers), those connected to each others: figure 12; [0002]), said image forming device comprising:

a management unit configured to manage the plurality of other image forming devices and said image forming device: (each of image processing device has multiple functions (e.g. communication function, configuration management function, and troubleshooting management function). The image processing device includes both a network controller and an agent, wherein only one of image processing device in the communication group includes a master agent while other image processing devices include subagents. In Nishio's system, the master agent image processing device has ability of control other subagents image processing devices: Nishio, figure 12; [0010]; [0020]-[0021]; [0060]-[0063]; [0001]; [0004]).

However, Nishio does not explicitly disclose a selection unit, provided in a device configured to select a device to manage the plurality of devices and said device.

In analogous art, Denamn discloses a group of interconnected nodes, which is configured to select a coordinator node (known as managing node) out of the group. The coordinator node is capable to control itself (e.g. reset/ and initialization/ and control the TPA selection process).

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Further the coordinator node is capable to control configurations for all other nodes in the group: abstract; column 2, lines 1-22; column 3, lines 46-60; column 4, lines 1-9; figure 1; figure 4; column 4, lines 1-15).

wherein the managing device is selected out of a group including the plurality of other devices and said device: (the coordinator node includes self control function: Denamn, figure 1; abstract; figure 4).

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Denamn's ideas of creating a network group therefrom a node, that it was believed as the best candidate to control the entire network group, is voted as network manager into Nishio's system in order to provide capabilities of handle complex problems, manipulate large database quickly and reliable, see (Denamn, column 1, lines 32-37).

However, Nishio-Denamn does not explicitly disclose comparing unit configured to compare central processing unit performance, memory size, or average for each of the plurality of other image forming devices and said image forming device; based on a results of comparison between the central processing unit performance, memory size, or average for each of the plurality of other image forming devices and said image forming device.

In comparable art, Morikawa teaches method of selecting a printer device as managing device according to various conditions (e.g. language loads/ and processing speeds). Particularly, language loads/ and processing speeds of printer devices in group are compared so that the maximum language load/ and process speed printer device will be selected as managing printer device (column 5, lines 34-67). For example, the managing printer device is selected according to it's capability of handling two different languages (e.g. PLC and PS) while other printer

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devices only handles one of the languages, see (Morikawa, column 2, lines 1-10; figure 12; column 4, lines 57-65; column 5, lines 1-17, lines 34-67).

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Morikawa's ideas of choosing a maximum language load/ and process speed printer device as managing device for group of printers into Nishio-Denamn's system in order to develop an efficient printing network (e.g. limit printing job interruptions due to some reasons), (column 1, lines 10-15).

Regarding claim 11:

Nishio discloses the invention substantially as claimed, including a system, which can be implemented in a computer hardware or software code, comprising:

a plurality of image forming devices connected to a network: (Nishio discloses image processing devices (e.g. network-capable printers, scanners and copiers), those connected to each others: figure 12; [0002]).

wherein each image forming device of said plurality of peripheral devices comprising: managing unit configured to manage said plurality of image forming devices: (each of image processing device, has multiple functions (e.g. communication function, configuration management function, and troubleshooting management function). The image processing device includes a network controller and an agent wherein only one of image processing device in the communication group includes a master agent while other image processing devices include subagents. In Nishio's system, the master agent image processing device has ability of control other subagents image processing devices: Nishio, figure 12; [0010]; [0020]-[0021]; [0060]-[0063]; [0001]; [0004]).

However, Nishio does not explicitly disclose selection unit, provided in each device, configured to select a managing device to manage said plurality of devices.

In analogous art, Denamn discloses a group of interconnected nodes, which is configured to select a coordinator node (known as controlling node) out of the group. The coordinator node is capable to control itself such as reset/ and initialization/ and control the TPA selection process. And the coordinator node also is capable to control configurations for all other nodes in the group: abstract; column 2, lines 1-22; column 3, lines 46-60; column 4, lines 1-9; figure 1; figure 4; column 4, lines 1-15).

wherein said device is selected by selection unit out of group including said plurality devices, which includes devices other than said device: (a group of interconnected nodes, which is configured to select a coordinator node (known as managing node) out of the group: Denamn, abstract; column 2, lines 1-22; column 3, lines 46-60; column 4, lines 1-9; figure 1; figure 4; column 4, lines 1-15).

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Denamn's ideas of creating a communication network with capability of voting for a node that it believes is the best candidate to control the communication network configuration into Nishio's system in order to provide capabilities of handle complex problems, manipulate large database quickly and reliable, see (Denamn, column 1, lines 32-37).

However, Nishio-Denamn does not explicitly disclose comparing unit configured to compare central processing unit performance, memory size, or average for each of the plurality of other image forming devices and said image forming device; based on a results of comparison

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between the central processing unit performance, memory size, or average for each of the plurality of other image forming devices and said image forming device.

In comparable art, Morikawa teaches method of selecting a printer device as managing device according to various conditions (e.g. language loads/ and processing speeds). Particularly, language loads/ and processing speeds of printer devices in group are compared so that the maximum language load/ and process speed printer device will be selected as managing printer device (column 5, lines 34-67). For example, the managing printer device is selected according to it's capability of handling two different languages (e.g. PLC and PS) while other printer devices only handles one of the languages, see (Morikawa, column 2, lines 1-10; figure 12; column 4, lines 57-65; column 5, lines 1-17, lines 34-67).

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Morikawa's ideas of choosing a maximum language load/ and process speed printer device as managing device for group of printers into Nishio-Denamn's system in order to develop an efficient printing network (e.g. limit printing job interruptions due to some reasons), (column 1, lines 10-15).

Regarding claim 28:

Nishio discloses a computer program product, comprising a computer storage medium and a computer program code mechanism embedded in the computer storage medium for causing an image forming device to manage a plurality of image forming devices connected to a network, a computer code mechanism comprising:

a computer code device configured to manage said plurality of image forming devices from a managing image forming device: (in Nishio's system, image processing devices (e.g.

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network-capable printers, scanners and copiers), those connected to each others. Each of image processing device has multiple functions (e.g. communication function, configuration management function, and troubleshooting management function). The image processing device includes a network controller and an agent wherein only one of image processing device in the communication group includes a master agent while other image processing devices include subagents. In Nishio's system, the master agent image processing device has ability of control other subagents image processing devices: Nishio, figure 12; [0010]; [0020]-[0021]; [0060]-[0063]; [0001]; [0004]).

However, does not explicitly disclose managing image forming device is selected out of a group including said plurality of image forming devices, which includes image forming devices other than said image forming device used to select said managing image forming device.

In analogous art, Denamn discloses a group of interconnected nodes, which is configured to select a coordinator node (known as controlling node) out of the group. The coordinator node is capable to control itself such as reset/ and initialization/ and control the TPA selection process. And the coordinator node also is capable to control configurations for all other nodes in the group: abstract; column 2, lines 1-22; column 3, lines 46-60; column 4, lines 1-9; figure 1; figure 4; column 4, lines 1-15).

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Denamn's ideas of creating a communication network with capability of voting for a node that it believes is the best candidate to control the communication network configuration into Nishio's system in order to provide capabilities of handle complex problems, manipulate large database quickly and reliable, see (Denamn, column 1, lines 32-37).

However, Nishio-Denamn does not explicitly disclose a second computer code device configured to compare central processing unit performance, memory size, or average for each of the plurality of other image forming devices and said image forming device; and third computer code device configured to select managing device based on a results of comparison between the central processing unit performance, memory size, or average for each of the plurality of other image forming devices and said image forming device.

In comparable art, Morikawa teaches method of selecting a printer device as managing device according to various conditions (e.g. language loads/ and processing speeds). Particularly, language loads/ and processing speeds of printer devices in group are compared so that the maximum language load/ and process speed printer device will be selected as managing printer device (column 5, lines 34-67). For example, the managing printer device is selected according to it's capability of handling two different languages (e.g. PLC and PS) while other printer devices only handles one of the languages, see (Morikawa, column 2, lines 1-10; figure 12; column 4, lines 57-65; column 5, lines 1-17, lines 34-67).

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Morikawa's ideas of choosing a maximum language load/ and process speed printer device as managing device for group of printers into Nishio-Denamn's system in order to develop an efficient printing network (e.g. limit printing job interruptions due to some reasons), (column 1, lines 10-15).

Regarding claim 30:

In addition to rejection in claim 28, Nishio-Denman-Morikawa further discloses a fourth computer code device configured to check which image forming device is managing said

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plurality of image forming devices: (Denman: abstract; column 2, lines 1-22; column 3, lines 46-60; column 4, lines 1-9; figure 1; figure 4; column 4, lines 1-15).

Regarding claim 33:

In addition to rejection in claim 28, Nishio-Denman-Morikawa further discloses a fourth computer code device configured to receive instruction from a user station connected to said network: (Nishio: abstract; column 2, lines 1-22; column 3, lines 46-60; column 4, lines 1-9; figure 1; figure 4; column 4, lines 1-15).

Regarding claim 34:

In addition to rejection in claim 28, Nishio-Denman-Morikawa further discloses a fourth computer code device configured to request and receive information from said plurality of image forming devices: (Nishio: abstract; column 2, lines 1-22; column 3, lines 46-60; column 4, lines 1-9; figure 1; figure 4; column 4, lines 1-15).

Regarding claim 41:

In addition to rejection in claim 1, Nishio-Denman-Morikawa further discloses wherein said image forming device is a printer, multi-function peripheral, a digital copier, a fax machine, a copy machine or combination thereof: (Nishio: [0001]-[0002]).

Regarding claims 43 and 47:

Those claims are rejected under rationale of claim 41.

Claim 35 is rejected under 35 U.S.C 103(a) as being un-patentable over Nishio-Denman-Morikawa in view of Carcerano et al. (U.S. 6,308,205).

Regarding claim 35:

Nishio-Denman-Morikawa discloses the invention substantially as disclosed in claim 28, but does not explicitly teach a receiving unit configured to receive instructions from a user station connected to the network.

In analogous art, Carcerano disclose method using configuration template for setting up configuration attributes from remote, see (figure 7; abstract).

a requesting unit configure to request and receive information from the plurality of other image forming devices: (Carcerano: abstract).

configuration setting unit configured to set configuration for the plurality of other image forming devices; and transmitting unit configured to transmit information to the user station: (abstract; figure 7).

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Carcerano's ideas of using configuration template for setting up configuration attributes from remote into Nishio-Denman-Morikawa's system in order to flexibilities for configuration network, e.g. to be able to expand service into larger areas and providing convenient for system users, see (Carcerano: column 1, lines 52-59).

Claims 3-5, 13, 21-24, 26, 31-32, 45 and 49 are rejected under 35 U.S.C 103(a) as being un-patentable over Nishio (U.S. 2005/0251569) in view of Denman et al. (U.S. 6,745,240) in view of Morikawa et al. (U.S. 7,027,169) and further in view of Duvvury (U.S. 6,917,626).

Regarding claim 21:

Nishio discloses the invention substantially as claimed, including a method for managing a plurality of peripheral devices connected to a network, comprising steps of:

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managing said plurality of image forming devices from a managing image forming device: (each of image processing device, has multiple functions (e.g. communication function, configuration management function, and troubleshooting management function). The image processing device includes a network controller and an agent wherein only one of image processing device in the communication group includes a master agent while other image processing devices include subagents. In Nishio's system, the master agent image processing device has ability of control other subagents image processing devices: Nishio, figure 12; [0010]; [0020]-[0021]; [0060]-[0063]; [0001]; [0004]).

However, Nishio does not explicitly disclose selecting a managing image forming device.

In analogous art, Denamn discloses a configuration system including a group of numbers interconnected nodes, therefrom a coordinator node/ controlling node are selected from the group of numbers interconnected node by each member node of the group. The coordinator node is capable to control itself such as reset/ and initialization/ and control the TPA selection process, and it also is capable to control figurations for all other nodes in the group: abstract; column 2, lines 1-22; column 3, lines 46-60; column 4, lines 1-9; figure 1; figure 4; column 4, lines 1-15).

wherein the managing image forming device is selected by said means for selecting out of a group including the plurality of other image forming devices and said image forming device: (in Denamn's configuration system, the coordinator node is selected from a group of nodes including it's self: figure 1; abstract; figure 4).

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Denamn's ideas of creating a communication network with

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capability of voting for a node that it believes is the best candidate to control the communication network configuration into Nishio's system in order to provide capabilities of handle complex problems, manipulate large database quickly and reliable, see (Denamn, column 1, lines 32-37).

However, Nishio-Denamn does not explicitly disclose comparing central processing unit performance, memory size, or average for each of the plurality of other image forming devices and said image forming device; and selecting managing device based on a results of comparison between the central processing unit performance, memory size, or average for each of the plurality of other image forming devices and said image forming device.

In comparable art, Morikawa teaches method of selecting a printer device as managing device according to various conditions (e.g. language loads/ and processing speeds). Particularly, language loads/ and processing speeds of printer devices in group are compared so that the maximum language load/ and process speed printer device will be selected as managing printer device (column 5, lines 34-67). For example, the managing printer device is selected according to it's capability of handling two different languages (e.g. PLC and PS) while other printer devices only handles one of the languages, see (Morikawa, column 2, lines 1-10; figure 12; column 4, lines 57-65; column 5, lines 1-17, lines 34-67).

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Morikawa's ideas of choosing a maximum language load/ and process speed printer device as managing device for group of printers into Nishio-Denamn's system in order to develop an efficient printing network (e.g. limit printing job interruptions due to some reasons), (column 1, lines 10-15).

However, Nishio-Denamn- Morikawa does not explicitly disclose setting default URLs of webserver for said image forming devices to correspond to a web server for said managing image forming device.

In analogous art, Duvvury discloses logical configured single cluster comprises one commander device and one or more member devices. Each device in the cluster is identified by URL, see (Duvvury, abstract, lines 1-8).

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Duvvury's ideas of assigning URL for each node in the cluster as network communication identify into Nishio-Denamn- Morikawa's system in order to flexibilities for configuration network, e.g. to be able to expand service into larger areas.

Regarding claim 3:

Nishio-Denman-Morikawa discloses the invention substantially as disclosed in claim 1, but does not explicitly teach a web server; a setting unit configured to set a default URL for said web server to correspond to a web server of the managing device.

In analogous art, Duvvury discloses logical configured single cluster comprises one commander device and one or more member devices. Each device in the cluster is identified by URL, see (Duvvury, abstract, lines 1-8).

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Duvvury's ideas of assigning URL for each node in the cluster as network communication identify into Nishio-Denman-Morikawa's system in order to flexibilities for configuration network, e.g. to be able to expand service into larger areas.

Regarding claim 4:

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In addition to rejection in claim 3, Nishio-Denman-Morikawa-Duvvury further discloses enabling unit configured to enable said management unit when the managing image forming device selected by said selection is said device: (It would obvious to one of ordinary skill in the art knows, the selected managing device should be enabled manager function).

Regarding claims 13 and 32:

Those claims are rejected under rationale of claim 3.

Regarding claim 45:

In addition to rejection in claim 21, Nishio-Denman-Morikawa-Duvvury further discloses wherein said image forming device is a printer, multi-function peripheral, a digital copier, a fax machine, a copy machine or combination thereof: (Nishio: [0001]-[0002]).

Regarding claims 5 and 22:

In addition to rejection in claims 3 and 21, Nishio-Denman-Morikawa-Duvvury further discloses disabling unit configure to disable said managing image forming device selected by said selection unit is not said device: (It would obvious to one of ordinary skill in the art knows, the not selected managing device should disabling manager function).

Regarding claim 31:

This claim is rejected under rationale of claim 4.

Regarding claim 26:

This claim is rejected under rationale of claim 21.

Regarding claim 23:

In addition to rejection in claim 21, Nishio-Denman-Morikawa-Duvvury further discloses receiving instruction from a user station connected to said network: (Nishio: abstract; column 2, lines 1-22; column 3, lines 46-60; column 4, lines 1-9; figure 1; figure 4; column 4, lines 1-15).

Regarding claim 24:

In addition to rejection in claim 21, Nishio-Denman-Morikawa-Duvvury further discloses requesting and receiving information from said plurality of image forming devices: (Nishio: abstract; column 2, lines 1-22; column 3, lines 46-60; column 4, lines 1-9; figure 1; figure 4; column 4, lines 1-15).

Regarding claim 49:

In addition to rejection in claim 1, Nishio-Denman-Morikawa further a network interface configured to communicate with network: (Nishio discloses image processing devices (e.g. network-capable printers, scanners and copiers), those connected to each others: figure 12; [0002]).

a communication request to a non-selected image forming device that is not the managing forming device is routed by a web server in the non-selected image forming device to the managing image forming device: (Duvvury, abstract, lines 1-8)

Claims 6 and 25 are rejected under 35 U.S.C 103(a) as being un-patentable over Nishio-Denman-Morikawa-Duvvury in view of Carcerano et al. (U.S. 6,308,205).

Regarding claim 6:

Nishio-Denman-Morikawa-Duvvury discloses the invention substantially as disclosed in claim 3, but does not explicitly teach a receiving unit configured to receive instructions from a user station connected to the network.

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In analogous art, Carcerano disclose method using configuration template for setting up configuration attributes from remote, see (figure 7; abstract).

a requesting unit configure to request and receive information from the plurality of other image forming devices: (Carcerano: abstract).

configuration setting unit configured to set configuration for the plurality of other image forming devices; and transmitting unit configured to transmit information to the user station: (abstract; figure 7).

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Carcerano's ideas of using configuration template for setting up configuration attributes from remote into Nishio -Denamn- Duvvury's system in order to flexibilities for configuration network, e.g. to be able to expand service into larger areas and providing convenient for system users, see (Carcerano: column 1, lines 52-59).

Regarding claim 25:

This claim is rejected under rationale of claim 6.

Claims 9-10 and 14-15 are rejected under 35 U.S.C 103(a) as being un-patentable over Nishio-Denman-Morikawa in view of Frazier et al. (U.S. 6,981,025).

Regarding claims 9-10:

Nishio-Denman-Morikawa discloses the invention substantially as disclosed in claim 1, but does not explicitly teach checking if devices are under double managing.

In analogous art, Frazier discloses method for discovering and disabling network manager process, see (abstract; column 12, lines 19-31, 50-67).

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Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Frazier's ideas of discovering and disabling network manager process into Nishio-Denman-Morikawa's system in order to flexibilities for configuration network.

Regarding claim 10:

In addition to rejection in claim 9, Nishio-Denman-Morikawa-Frazier further discloses disabling unit configure to disable said managing image forming device selected by said selection unit is not said device: (It would obvious to one of ordinary skill in the art knows, the not selected managing device should disabling manager function).

Regarding claim 14:

This claim is rejected under rationale of claim 9.

Regarding claim 15:

This claim is rejected under rationale of claim 10.

Claims 17-18 are rejected under 35 U.S.C 103(a) as being un-patentable over Nishio-Denman-Morikawa-Frazier in view of Carcerano et al. (U.S. 6,308,205).

Regarding claim 17:

Nishio-Denman-Morikawa-Frazier discloses the invention substantially as disclosed in claim14, but does not explicitly teach a requesting unit configure to request and receive information from the plurality of other image forming devices, see (Carcerano: abstract).

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Carcerano's ideas of using configuration template for setting up configuration attributes from remote into Nishio-Denman-Morikawa-Frazier's system in order to

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flexibilities for configuration network, e.g. to be able to expand service into larger areas and providing convenient for system users, see (Carcerano: column 1, lines 52-59).

Regarding claim 18:

Nishio-Denman-Morikawa-Frazier discloses the invention substantially as disclosed in claim 14, but does not explicitly teach a receiving unit configured to receive instructions from a user station connected to the network.

In analogous art, Carcerano disclose method using configuration template for setting up configuration attributes from remote, see (figure 7; abstract).

a requesting unit configure to request and receive information from the plurality of other image forming devices: (Carcerano: abstract).

configuration setting unit configured to set configuration for the plurality of other image forming devices; and transmitting unit configured to transmit information to the user station: (abstract; figure 7).

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Carcerano's ideas of using configuration template for setting up configuration attributes from remote into Nishio-Denman-Morikawa-Frazier's system in order to flexibilities for configuration network, e.g. to be able to expand service into larger areas and providing convenient for system users, see (Carcerano: column 1, lines 52-59).

Claim 16 is rejected under 35 U.S.C 103(a) as being un-patentable over Nishio-Denman-Morikawa-Frazier in view of Duvvury (U.S. 6,917,626).

Regarding claim 16:

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In addition to rejection in claim 15, Nishio-Denman-Morikawa-Frazier further disclose discloses disabling unit configure to disable said managing image forming device selected by said selection unit is not said device: (It would obvious to one of ordinary skill in the art knows, the not selected managing device should disabling manager function).

However, Nishio-Denman-Morikawa-Frazier does not explicitly disclose setting default URLs of webserver for said image forming devices to correspond to a web server for said managing image forming device.

In analogous art, Duvvury discloses logical configured single cluster comprises one commander device and one or more member devices. Each device in the cluster is identified by URL, see (abstract, lines 1-8).

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Duvvury's ideas of assigning URL for each node in the cluster as network communication identify into Nishio-Denman-Morikawa - Frazier's system in order to flexibilities for configuration network, e.g. to be able to expand service into larger areas.

Conclusions

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LAN-DAI THI TRUONG whose telephone number is (571)272-7959. The examiner can normally be reached on Monday- Friday from 8:30am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A. Follansbee can be reached on 571-272-3964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

12/05/2008

/Kenny S Lin/
Primary Examiner, Art Unit 2452